

July 17, 2007 CPC



STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

06TS0211

Patrick Construction
Autumn Grove (Formerly Autumn Leaf)

Dale Magisterial District
Western terminus of Koufax Drive

REQUEST: The applicant requests approval of a tentative subdivision plat with seventy-eight (78) lots that requires an exception to Section 17-76 (h) of the Subdivision Ordinance regarding second street access requirements for lots in excess of fifty (50).

RECOMMENDATION

Staff recommends denial of the tentative request as submitted for the following reasons:

- A. The tentative subdivision conforms to the provisions of the Subdivision Ordinance, with the exception to the street access requirement of fifty (50) lots or less on one (1) access.
- B. The Fire Department has consistently not supported access to more than fifty (50) lots on a single access for safety reasons.

If the Planning Commission elects to approve this application, Staff recommends that the Planning Commission approve with the CONDITIONS and REVIEW NOTES as follows:

CONDITIONS

- 1. All proffers and conditions as approved in zoning Case 05SN0136 shall be enforced within the limits of this tentative. (P)
- 2. Per Section 8-4 of the Erosion Control Ordinance, prior to the issuance of a Land Disturbance Permit, the Environmental Engineering Department shall require

copies of applicable correspondence from the USACOE so that it may be determined that all wetlands permits have been received. (EE)

3. The pedestrian-access facilities design as shown on the tentative shall be included in the road and drainage plans that must be approved by both VDOT and the Environmental Engineering Department. Road right-of-way shall be wide enough to encompass the pedestrian-access facilities if the sidewalks meet State criteria. (EE)
4. Any timbering that is to occur as the first phase of infrastructure construction will be incorporated into the project's erosion-and-sediment control plan narrative and will not commence until the issuance of a land disturbance permit for subdivision construction and proper installation of erosion control measures. (EE)
5. The USACOE jurisdictional wetlands shall be shown on the construction plans and subdivision plat. (EE)
6. Prior to construction plan approval, the Environmental Engineering Department must have received documentation that the sub-divider or his representative has notified certain property owners determined by the Department of the proposed adjacent construction to include but not limited to lots 1 and 11 Section B of Hilmar and lots 5 and 6 of Stonebridge Section 4. (EE)
7. The areas of storm-water runoff concentration as discussed in the Environmental Engineering Department tentative report dated March 29, 2006 will be field located and shown on the plans. The construction plans shall designate the affected lots with an NBP, and an engineered storm sewer, filling, grading, and drainage plan shall be included in the construction plans. (EE)
8. The sub-divider shall post signs demarking the limits of the RPA so builders and homeowners may be informed as to the limitations imposed on these areas. Specific plans for the exact number and placement of the signs shall be approved by the Environmental Engineering Department. (EE)
9. The erosion and sediment control plan for the project shall call for the placement of polyethylene fence or its equivalent in accordance with STD & SPEC 3.01 of the Virginia Erosion and Sediment Control Handbook along the RPA limits prior to the issuance of a land disturbance permit. (EE)
10. Building envelopes as shown on the tentative plan along with any other directed by the Environmental Engineering Department shall be placed on the construction plans and subdivision plat. (EE)
11. The floodplain as shown on the approved construction plans and the recorded subdivision plat shall be the result of hydrologic and hydraulic engineering

methods and assumptions which are approved by the Environmental Engineering Department. (EE)

12. The achievement of adequate surface drainage on lots will be the responsibility of the subdivider. The sale of lots does not absolve the subdivider from this responsibility prior to State acceptance of the streets and for a period of one (1) year after the streets are taken into the State system. (EE)
13. Unanticipated problems in the existing adjacent downstream developments which in the opinion of the Environmental Engineering Department, are caused by increases in storm water runoff from the project shall be the responsibility of the subdivider. (EE)
14. The culvert design for the extension of the stub of Autumn Leaf Drive into the project shall not cause the 100 year analysis of this culvert design to show and increase in the floodplain elevations as established on Hilmar Section B. (EE)
15. Unless otherwise directed by the Environmental Engineering Department, a storm sewer DI will be strategically located at the rear of lot 43 and connected to drainage facilities passing under Autumn Leaf Drive in the vicinity of lot 26. (EE)
16. Except as permitted by the Environmental Engineering Department, storm drainage from Autumn Leaf shall not be permitted to cross the property line into Stonebridge Subdivision or the parcels to the northeast, which are contiguous. (EE)
17. The maximum storm water inundation elevation of the wetlands to the north will be determined along with the corridor of drainage relief. This area will be treated like a floodplain and shown on the construction plans and record plat. (EE)
18. The 100-year floodplain/maximum inundation elevation surrounding the wetlands will be shown as field located on the construction plans and shall be re-field verified prior to the issuance of a full building permit. An NBP shall be stipulated for the affected lots. (EE)
19. The Environmental Engineering Department shall be provided with documentation from the Corps and DEQ that the impacts required to implement the culvert construction at Kingsland Creek in accordance with the Environmental Engineering Reference Manual have been authorized. (EE)
20. The subdivider shall remove the existing entrance culverts into 5700 Winterleaf Drive in the Autumn Leaf Drive right of way and replace with CG-9D entrances coordinated with the curb and gutter construction of the road. (EE)
21. Ingress and egress from 5700 Winterleaf Drive shall at all times be maintained. (EE)

22. Lots requiring removal of the existing driveway in a manner which achieves the storm drainage requirements of this project shall be marked with an NBP. (EE)
23. The storm drainage design shall include the culvert under the stub road into 775-679-7119. The culvert shall be shown in both the road profile and the drainage conveyance system profile along the eastern property line. (EE)
24. The replacement of the driveway shall be done in a way so as not to have any adverse impact on the existing adjacent development. (EE)
25. The storm water drainage design of the construction plans shall determine in the project offsite drainage areas whether storm drainage from the commercial development frontage along Route 10 drains into the ditches alongside of the driveway which is slated to be removed or if not, where does this drainage go. (EE)
26. The storm drainage design of the construction plans shall determine where the wetlands at the northern end of the project are draining. (EE)
27. Prior to recordation, the cross hatched area indicated as “Limits of Conservation Easement” as shown on the approved tentative plat shall be encumbered by a perpetual open space conservation easement dedicated to the County of Chesterfield or some other worthy recipient deemed suitable by the Environmental Engineering Department. (EE)
28. This office may require redesign or modifications to the proposed sewer layout, as shown on the tentative plan, once the field work and final design has been completed by the engineer and shown on initial construction plan submittal for review and approval. (U)
29. Insert the tentative case number in the site statistics note on the construction plans. (P)
30. Place the zoning Case 05SN0136 on all final checks and record plats. (P)
31. In conjunction with all applicable road construction, the subdivider shall install a standard barricade and place M 4-6 and M 4-7 (Manual Uniform Traffic Devices reference manual) signs on said barricade at the end of all stub locations. Provide a detail of the signs on the barricade detail in the construction plans. (P)
32. All construction proffers shall be noted on the final check and record plats. (P)
33. Compliance with 17-76 of the subdivision Ordinance in the Chesterfield County Code shall be maintained at all times. (F)

34. When submitting the construction plans, provide an additional copy to go to the Fire Department for review. (F)
35. Hydrant locations shown on the tentative plan may not be in acceptable location. Hydrant locations will be evaluated at the time of construction plan review. (F)
36. When submitting the construction plans, provide an additional copy to go to the Fire Department for review. (F)

REVIEW NOTES:

- A. From rezoning Case 05SN0136, "Drainage from the impervious surfaces of roofs and driveways on lots abutting Stonebridge Subdivision shall outfall into a swale provided for this purpose along the eastern property line of Tax ID 774-678-9980. (EE)
- B. MS-19 is at issue for all points of potential storm drainage discharge except for the cross section of Kingsland Creek. (EE)
- C. The Director of Environmental Engineering, as a part of the tentative approval process, has granted a CBPA exception to allow Autumn Leaf Subdivision to achieve water quality compliance via the Lake Birkdale BMP. (4.24#’s). (EE)
- D. The use of the public water and sewer system is required by ordinance. (U)
- E. It is the subdivider's responsibility to see that this proposed development complies with the Chesterfield County Fire Department's required fire flow of 1000gpm at 20 psi residual. (U)
- F. If the subdivider at his option elects to impose an upland preservation strip around the wetlands to minimize mitigation costs, the required twenty-five (25) foot setback will be measured from the outermost limits of the preservation strip. (P)
- G. Building envelopes required to be shown on the tentative shall be shown with complete setback dimensions on the final check and record plat. (P)
- H. The final check and record plats shall show all applicable easements per Section 17-68. (P)
- I. All improvements to existing transportation facilities required as a result of the impact of this project shall be the responsibility of the developer. Approval of detailed construction plans is a prerequisite to issuance of a land use permit allowing access onto and construction within state maintained rights of way. It should be noted that plan approval at this time does not preclude the imposition of additional requirements at construction plan review. (VDOT)

- J. All right of way widths as shown are preliminary and should be so noted. Actual widths shall be determined by roadway design as stipulated in Appendix B of the 2005 Subdivision Street Requirements (SSR). (VDOT)
- K. The design of any/all proposed landscape embellishments (i.e. landscaping, hardscaping, signage, lighting, irrigation, fencing, etc.) to be installed within state maintained rights of way must be submitted to VDOT for review as separate submittal under Permit Process. VDOT approval of said plan shall be granted prior to installation. Failure to comply with these requirements may result in the removal of said embellishments prior to state acceptance. (VDOT)
- L. All roads to be designed and constructed per current VDOT standards and specifications. (VDOT)
- M. The construction of transportation improvements on roadways which are defined as arterials or collectors in Chesterfield County 's "Thoroughfare Plan", and all internal roads requires the implementation of a comprehensive inspection program to insure compliance with VDOT standards and specifications. Inspection services shall be provided utilizing one (1) of the following options:
- a. The applicant may retain the services of a licensed geotechnical engineer to perform the required inspection and testing, or,
 - b. The applicant may request that VDOT provide inspection services through the establishment of an accounts receivable with the contractor responsible for providing all required material testing.
- Either option a or b may be used for each category of road at the preference of the developer. (VDOT)
- N. The design of private entrance access along road side ditch streets shall be in accordance with Appendix B of the 2005 SSR. (VDOT)

GENERAL INFORMATION

Applicant/Owner:

Dean Patrick Construction

Location:

This request lies at the western terminus of Koufax Drive. Tax ID 774-678-9980 in a Residential (R-12) District. (Sheet 17).

Existing Zoning and Land Use:

R-12 – Vacant

Size:

35.37 acres

Adjacent Zoning and Land Use:

North - A; Vacant
South - R-9; Single family residential
East - R-9; Single family residential, A; vacant
West - A; Single family residential

BACKGROUND

On June 22, 2005 the subject property was rezoned (05SN0136) from Agricultural (A) to Residential (R-12) to permit a subdivision with proffered conditions. On March 27, 2006 the applicant submitted a tentative subdivision application requesting administrative approval. The tentative application depicted two (2) points of access and received administrative approval with conditions on June 22, 2006. (Attachment 1)

In March of 2007 the applicant met with County Staff to discuss the possible omission of the Autumn Leaf Drive extension as a second means of access. Staff did not support the request and informed the applicant that only fifty (50) lots on a single residential access could be recorded prior to the improvement of the second access to this development. Since Koufax Drive already had twenty-four (24) lots recorded on this single access, the applicant could record up to twenty-six (26) additional lots within Autumn Grove prior to improving a second access.

Subsequently, the applicant received construction plan approval on June 5, 2007 for this development depicting two (2) points of access; one (1) via Koufax Drive through existing Stonebridge Subdivision to the east, and an additional access to the south by extending Autumn Leaf Drive through existing Hilmar Subdivision.

The Subdivision Ordinance requires that a second access be provided when a local street serves as sole access to more than fifty (50) lots. Alternatively, the Planning Commission may grant relief to the maximum number of lots on a single access if Ordinance requirements are met. (Attachment 2)

Fire:

The Fire Department continues to support a second street, providing access to all lots constructed prior to, or in conjunction with, the recordation of the fifty-first lot or the maximum approved by the Board of Supervisors.

If this application is approved, up to 102 lots would have sole access through the intersection of Omalley Drive and Koufax Drive in an easterly direction. The Fire Department could experience limited access in an emergency situation. (Attachment 3)

CONCLUSIONS

The tentative complies with all aspects of the Subdivision Ordinance with exception to relief of more than fifty (50) lots on a single local street. The Planning Commission has the ability to grant relief to that requirement when Ordinance conditions are met.

The Fire Department has consistently opposed access to more than fifty (50) lots on a single access, unless approved by the Board of Supervisors. For this reason Staff recommends denial of this request.

If the Planning Commission elects to approve this case, they could grant relief to Section 17-76 (h) of the Subdivision Ordinance regarding second street access requirements for lots in excess of fifty (50); and grant approval of the tentative subject to the implementation of the Conditions and Review Notes as provided in this report with one (1) motion.

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Approved tentative with two points of access

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ATTACHMENT 2

Section 17-76 (h)(3) (From the Chesterfield County Subdivision Ordinance)

(h) Subdivisions shall adequately accommodate continuity of streets and shall provide for proper extension to subsequent phases and development of adjacent property, as determined by the director of planning, the director of transportation and the chief of the fire department.

(3) A second street, providing access to all lots, shall be constructed prior to, or in conjunction with, the recordation of the fifty-first lot unless:

(a) A residential collector, collector or arterial street, with only one way in and out, (i.e. a dead end) is proposed to provide access to more than 100 lots.

Residential collectors shall be shown to the limit of the tentative and/or parcel line as applicable. Bonding shall not be required for any unbuilt section.

(4) The director of transportation shall determine the maximum number of lots for which a residential collector, connected to two suitable street(s) with two points of access, may provide access.

(5) a. Relief to these requirements may be granted at the time of zoning for cases filed prior to November 26, 2002. The requirement for access to any proposed subdivision shall be governed by the conditions of that case.

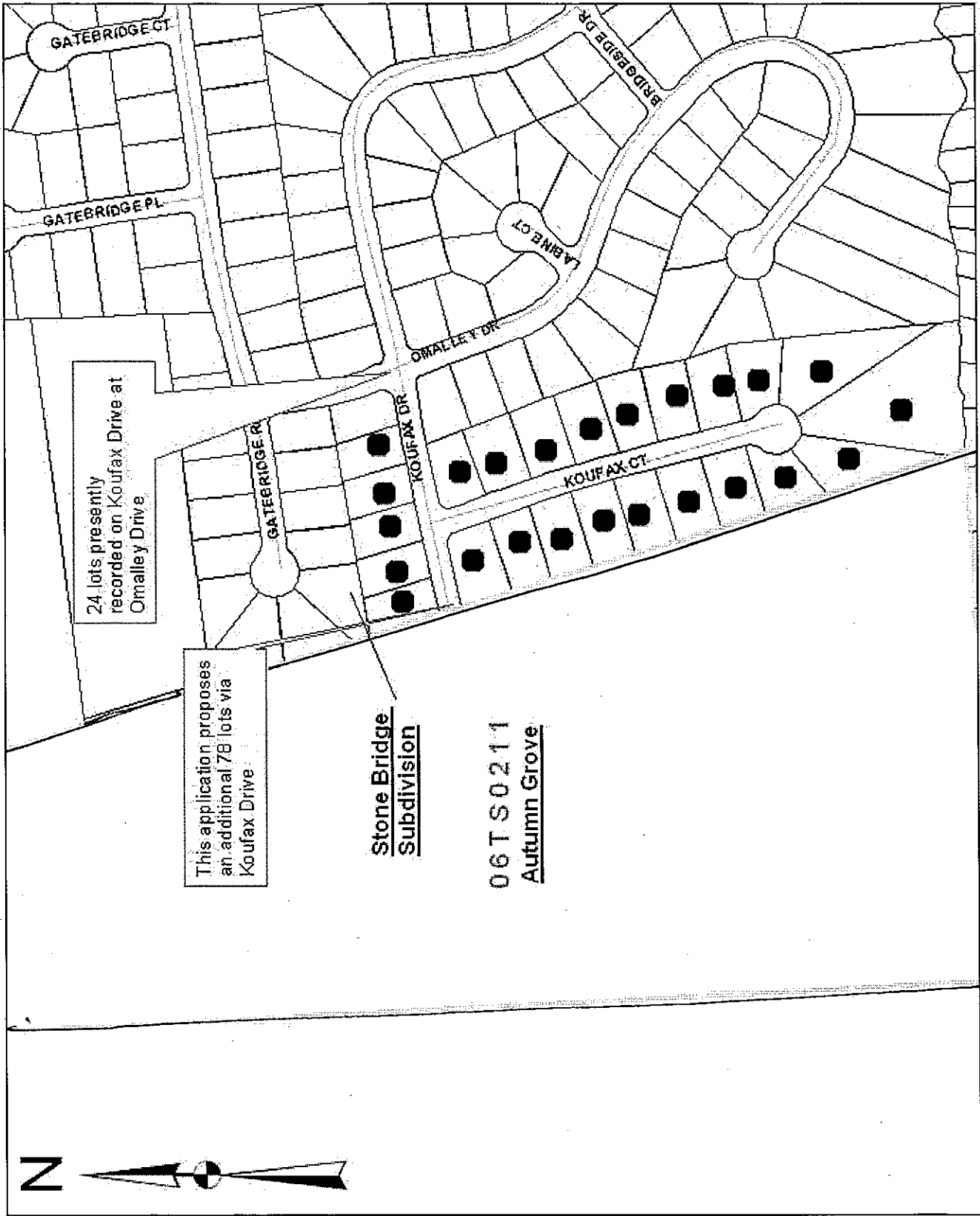
b. Relief to these requirements may be granted at the time of zoning for cases filed after November 26, 2002 with a preliminary tentative plat consisting of an approximate lot and street layout with sufficient documentation that clearly demonstrates:

1. The amount of relief does not exceed the allowable number of lots by more than 25 percent; and
2. Existing severe topographic, physical or extenuating circumstances exist so that there is no other practical means of providing another access; and
3. Financial hardship is not the principal reason for the waiver; or
4. Without granting relief to these requirements traffic on an existing local street will exceed the planning commission's stub road policy as determined by the director of transportation.

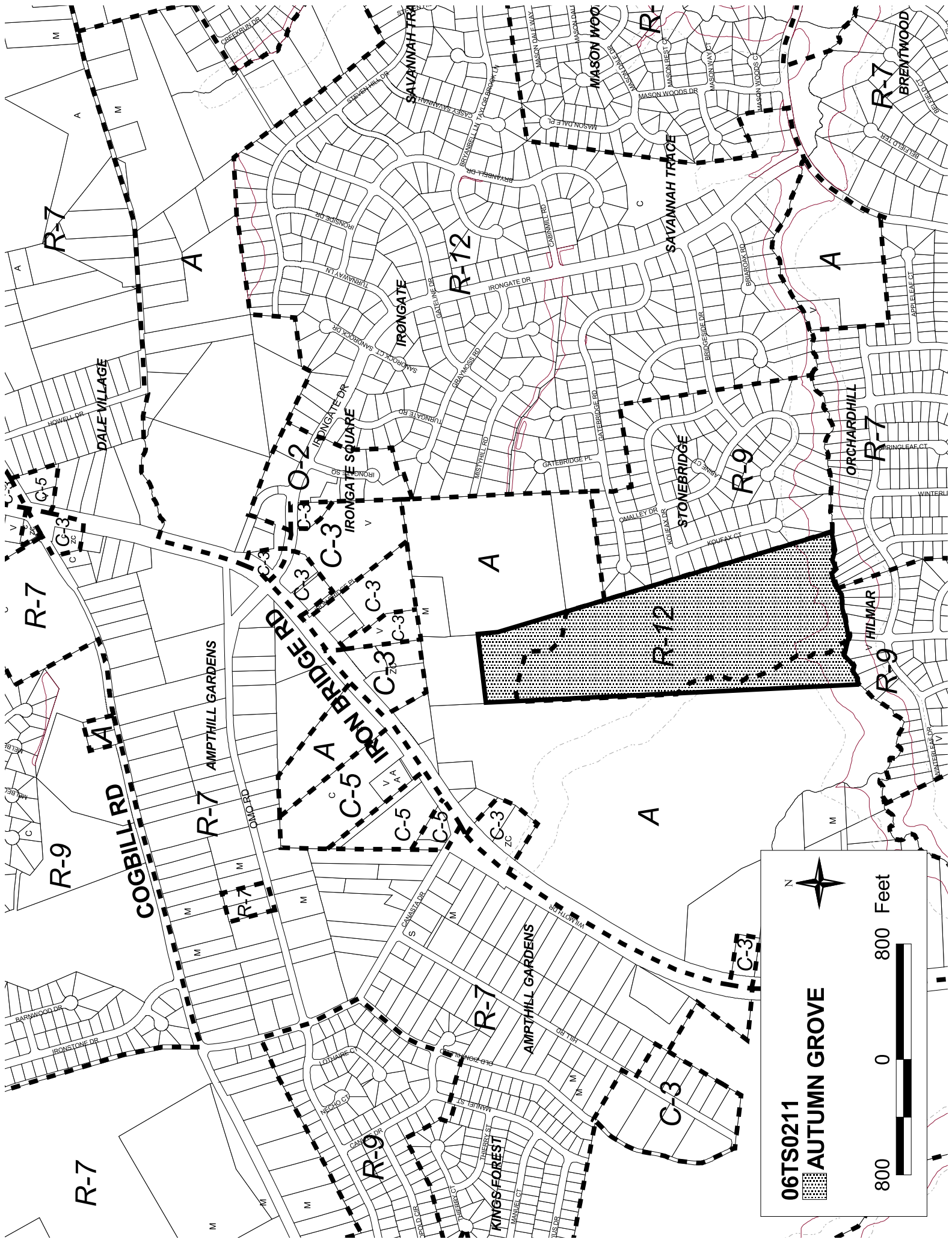
c. After November 26, 2002, relief to these requirements may be granted by the planning commission or director of planning if:

1. Existing severe topographic, physical or extenuating circumstances exist so that there is no other practical means of providing another access; and
2. Financial hardship is not the principal reason for the waiver.
3. In addition, the planning commission may grant relief to these requirements if the resultant traffic on an existing local street will exceed the planning commission's stub road policy as determined by the director of transportation.

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